

Anticipated Classification  
of this Application:  
Class \_\_\_\_\_ Subclass \_\_\_\_\_

Prior Application:  
Examiner \_\_\_\_\_  
Group Art Unit \_\_\_\_\_

Attorney's  
Docket  
N .51917-CA-PCT-US

October 3, 2003.

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

16834 U.S.PTO  
10/679135  
100303  


S I R:

This is a request for filing a  CONTINUATION

DIVISIONAL  CONTINUATION-IN-PART application under

37 C.F.R. §1.53(b) 37 C.F.R. §1.53(d), of pending prior application  
Serial No. 09/671,100 filed on September 27, 2000 of

David J. Pinsky, David Stern, Ann Marie Schmidt, Eric Rose, Robert A. Solomon for  
inventor(s)

METHODS FOR TREATING AN ISCHEMIC DISORDER AND IMPROVING STROKE OUTCOME

Title of Invention

1. Enclosed is a copy of the prior application, as originally filed and an affidavit or declaration verifying it as a true copy.
2. A verified statement to establish small entity status under 37 C.F.R. §1.9 and 1.27  
is enclosed.  
was filed in the prior application and such status is still proper and desired (37 C.F.R. §1.28(a)).
3.  The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

	NUMBER FILED	NUMBER EXTRA*		RATE		FEE	
				SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
Total Claims	43-20	-	23	X	9	18	- \$ N/A \$ 414
Independent Claims	10 - 3	-	7	X	42	84	- \$ 588
Multiple Dependent Claims Presented:				Yes <input checked="" type="checkbox"/> No	140	280	- \$ \$
*If the difference in Col. 1 is less than zero, enter "0" in Col. 2.						BASIC FEE	\$ 375 \$ 750
						TOTAL FEE	\$ \$ 1752

\*If the difference in Col. 1 is  
less than zero, enter "0" in  
Col. 2.

<sup>1</sup> filing an application pursuant to this section expressly abandons the parent application.

4.  The Commissioner is hereby authorized to charge payment of the following fees associated with this application or credit any overpayment to Deposit Account No. 03-3125.

Any additional filing fees required under 37 C.F.R. §1.16.

Any patent application processing fees under 37 C.F.R. §1.17.

The issue fees set forth in 37 C.F.R. §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. §1.311(b).

5.  Three copies of this sheet are enclosed.

6.  A check in the amount of \$ 1752.00 is enclosed.

7.  Cancel claims \_\_\_\_\_.

8.  Amend the specification by inserting before the first line the sentence: --This is a  continuation  division of application Serial No. \_\_\_\_\_, filed \_\_\_\_\_. --

9.  52 Sheet(s) of  informal  formal drawing(s) is/ are enclosed.

10.  Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.

11.  Priority of application No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ (country) is claimed under 37 U.S.C. §119.

The certified copy of the priority application has been filed in prior application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.

12.  The prior application is assigned of record to The Trustees of Columbia University in the City of New York.

13.  A preliminary amendment is enclosed.

14.  The power of attorney in the prior application is to:

John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Jay H. Maioli (Reg. No. 27,213); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Milner (Reg. No. 33,970); Robert T. Maldonado (Reg. No. 38,232); Paul Teng (Reg. No. 40,837); Richard F. Jaworski (Reg. No. 33,515); Alan J. Morrison (Reg. No. 37,399); Mark A. Farley (Reg. No. 33,170); Pedro C. Fernandez (Reg. No. 41,741); Gary J. Gershik (Reg. No. 39,992); and Christine S. Nickles (Reg. No. 51,103)

(a)  The power appears in the original papers in the prior application.

(b)  Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

(c)  Address all future communications to:  
(May only be completed by applicant, or attorney or agent of record.)

John P. White

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

15.

Also enclosed Express Mail Certificate of Mailing No.

EV 325 703 330 US, dated October 3, 2003 and Information Disclosure

16.

I hereby verify that the attached papers are a true copy <sup>Statement</sup> of prior application Serial No.  as originally filed on .

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

October 3, 2003

Date

Signature

John P. White

Registration No. 28,678

INVENTOR(S)  
 ASSIGNEE OF COMPLETE INTEREST  
 ATTORNEY OR AGENT OF RECORD  
 FILED UNDER 37 C.F.R. §1.34(a)

Address of Signator:

John P. White, Esq.  
Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

Docket No. 51917-CA-PCT-US/JPW/GJG/DJK  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David J. Pinsky, et al.  
Serial No.: Not Yet Known  
Filed: Herewith

For: METHODS FOR TREATING ISCHEMIC DISORDERS  
USING CARBON MONOXIDE

1185 Avenue of the Americas  
New York, New York 10036  
October 3, 2003

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

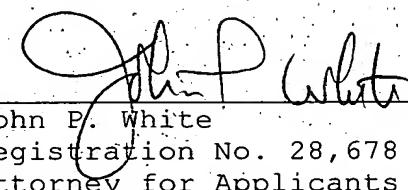
EXPRESS MAIL  
CERTIFICATE OF MAILING  
FOR THE ABOVE-IDENTIFIED APPLICATION

"Express Mail" mailing label number: EV 325 703 330 US  
Date of deposit: October 3, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop Patent Application Commission for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

~~Printed Name: David J. Kewide~~

Respectfully submitted,

  
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